

1 The Honorable Ronald B. Leighton
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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

9 ADVOCARE INTERNATIONAL, L.P.,
10 a Texas limited partnership,

11 Plaintiff,

12 v.

13 RICHARD PAUL SCHECKENBACH,
14 Individually and as part of the marital
15 community; *et al.*,

16 Defendants.

17 No. C08-5332 RBL

18 STIPULATION AND ORDER LIFTING
19 AND RELEASING PRELIMINARY
20 INJUNCTION

STIPULATION

21 Plaintiff AdvoCare International L.P. and the Scheckenbach Defendants (Richard
22 Scheckenbach, Carol Gillette, Ascential Bioscience LLC, Breakthrough Nutrition,
23 Ilcervello Properties LLC, R-Squared Nutrition Inc., and RavenSky LLC) hereby jointly
24 request, stipulate and agree that the subjoined Order should be promptly entered by the
25 Court.

26 Cause No. C08-5332 RBL

STIPULATION AND ORDER LIFTING AND
RELEASING PRELIMINARY INJUNCTION - 1

Cutler Nylander & Hayton
Professional Service Corporation
1191 Second Avenue, Suite 1650
Seattle, Washington 98101
Telephone 206 340-4600

1 DATED this 14th day of March, 2011.
2

3 **s/C. Brenton Kugler**

4 C. Brenton Kugler
Texas State Bar No. 11756250

5 Charlene C. Koonce
6 Texas State Bar No. 11672850

7 Of SCHEEF & STONE, LLP
8 *Attorneys for Plaintiff*
9 *AdvoCare International, L.P.*

10 **s/Philip E. Cutler**

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15 Of CUTLER NYLANDER & HAYTON, P.S.
16 *Attorneys for defendants Scheckenbach,*
17 *Gillette, Ascential, Breakthrough, Ilcervello,*
18 *RavenSky, and R-Squared*

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ORDER

20 This matter having come before the Court on the foregoing stipulation of Plaintiff and the
21
22 Scheckenbach Defendants, it is hereby ordered that:

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- 24 1. The Preliminary Injunction entered on December 14, 2010 (Dkt #435), as
25 amended thereafter (see Dkt #s 442, 449 and 455), is lifted and released
26 immediately and all parties governed by the injunction, as amended, are
discharged from further compliance with its terms.
2. Furthermore, (a) all bank and financial institution accounts still frozen are
immediately unfrozen and (b) the Scheckenbach Defendants are immediately

Cause No. C08-5332 RBL

STIPULATION AND ORDER LIFTING AND
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1 released from all restrictions on the use of any assets or monies covered by the
2 injunction, as amended.

3. The Scheckenbach Defendants are authorized to provide a copy of this Order,
4 promptly following its entry to any bank or institution previously bound by the
5 Preliminary Injunction, including without limitation: Ameritrade (Gillette,
6 #1149), Frontier Bank (Scheckenbach, #6353), ING (Gillette, #4457), KeyBank
7 (RavenSky, #5850; Ilcervello Properties, #4887); Gillette, #5924), Northwestern
8 Mutual Insurance (Gillette #s 2701 and 4191; Scheckenbach #6488), Pacific
9 Continental Bank (Breakthrough Nutrition, #3585; Gillette, #9913), Prudential
10 (Scheckenbach, #7756; Gillette, #7734), Schwab (Scheckenbach #5755) and
11 Wells Fargo Bank (Gillette, #s 3982 and 7777) and shall, contemporaneously
12 therewith, provide a copy of the communication to plaintiff. Upon request of any
13 bank or institution, or upon request of the Scheckenbach Defendants, plaintiff will
14 promptly confirm to the bank or institution the entry of this Order to those persons,
15 and contemporaneously, provide a copy of such communication to the
16 Scheckenbach Defendants.

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19 Dated this 14th day of March, 2011.

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23 RONALD B. LEIGHTON
24 UNITED STATES DISTRICT JUDGE
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Cause No. C08-5332 RBL

STIPULATION AND ORDER LIFTING AND
RELEASING PRELIMINARY INJUNCTION - 3

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3 Approved for Entry:
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5 Schwabe Williamson & Wyatt, P.C/
6 David R. Ebel, WSBA #28853
7 Alex I. Poust, WSBA #22660
8

9 SCHEEF & STONE, LLP
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27 Cause No. C08-5332 RBL
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29 STIPULATION AND ORDER LIFTING AND
30 RELEASING PRELIMINARY INJUNCTION - 4
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